

Minutes of the Judiciary and Law Enforcement Committee – November 13, 2009

Chair Bonnie Morris called the meeting to order at 8:30 a.m.

Committee Members Present: County Board Supervisors Bonnie Morris (Chair), John Pledl, Paul Decker, Dave Falstad, Peter Wolff, Jean Tortomasi, Kathleen Cummings.

Also Present: Legislative Policy Advisor Dave Krahn, Legislative Associate Karen Phillips, Medical Examiner Dr. Lynda Biedrzycki, Principal Assistant Corporation Counsel Danni Caldwell, Inspector Steve Marks, Business Manager Lyndsay Johnson, Budget Manager Keith Swartz, County Board Supervisor Fritz Ruf, Budget Management Specialist Linda Witkowski, Journal Sentinel Reporter Mike Johnson, Waukesha Freeman Reporter Joe Petrie.

Approve Minutes of October 2 and 16, 2009

MOTION: Tortomasi moved, second by Falstad, to approve the minutes of October 2, 2009, as amended. Motion carried: 7-0

MOTION: Falstad moved, second by Cummings, to approve the minutes of October 16, 2009. Motion carried: 7-0

Correspondence

- Invitation to reception for the graduates of the 180° Juvenile Diversion April-July session, to be held on November 19, 2009.
- Grant application, *Mutual Aid Radio Replacement Grant*, requesting \$123,600.00, by the Department of Emergency Preparedness

Executive Committee Report

Morris reported on the Executive Committee meeting of October 19, 2009. The committee discussed and approved 3 ordinances and 1 appointment at that meeting.

Reports from Committee Member Liaisons

- Tortomasi stated that the dispatch/CAD system replacement RFP process is moving closer to completion. They are currently making site visits for observation purposes.
- Cummings provided her perspective on the H1N1 clinics being conducted at the Expo Center.
- Morris reported on the PPAC Effective Justice Strategies Subcommittee meeting she attended in Madison.

Future Meeting Dates

Morris requested to reschedule the Judiciary & Law Enforcement Committee meeting from December 4 to December 11. Tortomasi stated she would be unable to attend on December 11. There were no other objections. The next meeting was rescheduled for December 11, 2009.

Future Agenda Items

- Presentation: Courts – Collections, Fines and Forfeitures

Discuss and Consider Ordinance 164-O-061: Approve Referral Agreement With Organ Procurement Organization

Biedrzycki and Caldwell were present to discuss the referral agreement with the Wisconsin Tissue Bank for tissue and organ procurement from decedents in the custody of the Medical Examiner.

MOTION: Cummings moved, second by Tortomasi, to approve Ordinance 164-O-061.

Biedrzycki and Caldwell discussed the financial components of the contract. Under the agreement, the Tissue Bank will pay the County an annual administrative fee of \$33,600 (\$2800.00 per month). In addition, the Tissue Bank will pay a morgue fee of \$400.00 per use and a staff fee of \$325.00 per use for the term of the contract.

Motion carried: 7-0

Biedrzycki informed the Committee that Dr. Okia was hired as the Associate Medical Examiner and began work on November 2.

Legislative Update

Krahn distributed an updated chart, *2009 Legislation – Judiciary Committee 11-13-09*. He highlighted the progress of following bills: AB 110 was approved on a voice vote, allowing for easier screening of applicants for law enforcement positions. AB 230, which provides electronic access to driver license photos for law enforcement agencies, was approved by the Assembly and will move on to the Senate. SB 66 (OWI bill) was approved by the Senate and a hearing was held on AB 346. AB 347 allows for the Sheriff to use the internet to sell unclaimed personal property – an Executive session is scheduled for next week. Newer bills introduced include: AB 448, which dictates that the Sheriff must charge a jail inmate for prescription drugs and devices provided in jail (Sheriff is opposed); AB 511, which requires law enforcement to obtain a DNA sample from every adult arrested for a felony (Sheriff is not opposed); AB 524 and its companion bill regarding small claims changes (creating a two-tiered system); AB 550 regarding the exchange of electronic records between CCAP and SACWIS; SB 263 and its companion bill (pertaining to SPD) have been voted out of committee and are in Joint Finance. Krahn answered questions raised by Committee members on specific issues throughout his presentation.

Discuss and Consider Ordinance 164-O-062: Authorize Waukesha County Sheriff To Contract For Police Services With The City Of Pewaukee

MOTION: Wolff moved, second by Tortomasi to approve Ordinance 164-O-062.

Marks and Johnson were present to discuss this ordinance that authorizes the Waukesha County Sheriff to contract with the City of Pewaukee to provide police services. The contract will require the County to provide Sheriff deputies and supervision with necessary equipment for three shifts each day. Marks explained that a total of 18 FTE positions would be created, including 15 FTE deputy sheriff positions, 2 FTE lieutenants, and 1 FTE detective in order to fulfill the terms of the contract. Twenty officers from the City of Pewaukee have applied for the deputy sheriff positions. The applicants will be required to successfully complete the County's employment process. To answer Falstad's inquiry, Marks explained that those officers hired by the County must go through a 20 week training session, and would be subject to a one-year probationary period. Marks added that a benefit package would be offered that will recognize the training and length of service of the Pewaukee officers during their transition of employment to Waukesha County.

Johnson reviewed the fiscal note summarizing an estimate of revenues involved for 2010, including salary and benefits, operational costs, vehicle costs, and administrative charges. The contract term will be from January 1, 2010 through December 31, 2014. The City of Pewaukee will pay the County in monthly installments based on the annual budgeted costs of supplying contract police services. Morris asked what dollar amount would be paid monthly. Johnson stated it would be about \$166,880 per month. Overtime and transcription services would be billed separately on a quarterly basis. Morris inquired whether the contract is considered an open record once it is signed. Marks stated he believed so.

Cummings asked about the number of employees currently with the Pewaukee Police Department. Marks stated there are twenty-seven positions; however, some members are retiring and there is currently no chief. Less supervision will be required. They are working to determine how clerical functions will be handled in-house – the City of Pewaukee will be paying those fees. Tortomasi inquired whether the City's current squads would be evaluated to determine their suitability for usage. Marks stated that during the initial part of the contract the Pewaukee squads will be used until a decision is made on a possible referendum on the contract issue. The County will also be utilizing Pewaukee's radios and equipment for now and the police station will be used as a Sheriff's substation.

Pledl asked Ruf if he felt this is a win-win situation. Ruf opined that this contract would be a win-win for the City and County, with as good or better police service. Pledl noted that this is the biggest acquisition of a police department thus far. Pledl expressed concerns for the Pewaukee officers facing this transition, and supported hiring as many of them as possible because they have the necessary knowledge and the background. Marks stated that they are confident that this endeavor will succeed. Marks indicated that many of the Pewaukee officers have stated they are in favor of joining the Sheriff's Department.

Morris thanked the Sheriff's Department for all of their work and professionalism in bringing this all together. Marks stated that there has been a great cooperation between the City of Pewaukee and Waukesha County throughout this process. He added that the assistance and feedback from the County Board during the process was very much appreciated.

Motion carried 7-0.

MOTION: Wolff moved, second by Decker, to adjourn at 9:26 a.m. Motion carried: 7-0.

Respectfully submitted,

Kathleen M. Cummings
Secretary